

117TH CONGRESS
2D SESSION

S. 5357

AN ACT

To provide compensation for United States victims of Libyan
state-sponsored terrorism, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Justice for the Living
3 Victims of Lockerbie Act”.

4 **SEC. 2. DEFINED TERM.**

5 In this Act, the term “compensable living victim of
6 Libyan state-sponsored terrorism” means an individual
7 who—

8 (1) is a United States person;

9 (2) was 45 years of age or older on December
10 3, 1991;

11 (3) was employed by Pan American World Air-
12 ways, Inc., on December 3, 1991;

13 (4) was a named claimant in Abbott et al. v.
14 Socialist People’s Libyan Arab Jamahiriya (case
15 number 1:94-cv-02444-SS) in the United States
16 District Court for the District of Columbia; and

17 (5) was alive on August 14, 2008.

18 **SEC. 3. LIVING VICTIMS OF LOCKERBIE CLAIMS TRUST**
19 **FUND.**

20 (a) ESTABLISHMENT.—Not later than 30 days after
21 the date of the enactment of this Act, the Secretary of
22 the Treasury shall establish, in the Treasury of the United
23 States, a trust fund, to be known as the “Living Victims
24 of Lockerbie Claims Trust Fund” (in this section referred
25 to as the “Fund”) for the payment of claims submitted

1 by compensable living victims of Libyan state-sponsored
2 terrorism under section 4.

3 (b) AUTHORIZATION OF APPROPRIATIONS.—Once the
4 Fund is established pursuant to subsection (a), there shall
5 be appropriated to the Fund, out of any money in the
6 Treasury of the United States not otherwise appropriated,
7 \$20,000,000 for fiscal year 2023, which shall be made
8 available to provide compensation to compensable living
9 victims of Libyan state-sponsored terrorism.

10 **SEC. 4. COMPENSATION FOR LIVING VICTIMS OF LIBYAN**
11 **STATE-SPONSORED TERRORISM.**

12 (a) CERTIFICATION BY THE FOREIGN CLAIMS SET-
13 TLEMENT COMMISSION.—The Foreign Claims Settlement
14 Commission shall—

15 (1) not later than 30 days after the date of the
16 enactment of this Act, publish in the Federal Reg-
17 ister a notice of a process for filing claims on behalf
18 of compensable living victims of Libyan state-spon-
19 sored terrorism, which shall include a deadline for
20 the filing of claims of not later than the date that
21 is 60 days after the date of publication of the notice;

22 (2) not later than 60 days after the end of the
23 period for filing claims described in paragraph (1)—

24 (A) determine if each individual who sub-
25 mitted a claim under that paragraph is a com-

1 pensable living victim of Libyan state-sponsored
2 terrorism; and

3 (B) approve the claim of each individual
4 the Commission determines under subpara-
5 graph (A) to be a compensable living victim of
6 Libyan state-sponsored terrorism; and

7 (3) upon approving a claim under paragraph
8 (2)(B), certify approval of the claim to the Secretary
9 of the Treasury for purposes of authorization of pay-
10 ment under subsection (b).

11 (b) PAYMENTS AUTHORIZED.—Upon receiving a cer-
12 tification from the Foreign Claims Settlement Commission
13 under subsection (a)(3), the Secretary of the Treasury
14 shall make payments from the Fund to compensable living
15 victims of Libyan state-sponsored terrorism in accordance
16 with subsection (c).

17 (c) COMPENSATION.—

18 (1) IN GENERAL.—Upon a certification by the
19 Foreign Claims Settlement Commission under sub-
20 section (a)(3) of the claim of a compensable living
21 victim of Libyan state-sponsored terrorism, the
22 claimant (or, in the case of a deceased claimant, the
23 personal representative of the claimant's estate)
24 shall be entitled to an award in an amount equal
25 to—

1 (A) \$20,000,000, divided by

2 (B) the total number of claims certified
3 under subsection (a)(3).

4 (2) REPRESENTATIVE.—If a putative claimant
5 that otherwise qualifies for compensation under this
6 section is deceased, a personal representative may
7 bring a claim on behalf of the estate of the claimant.

Passed the Senate December 22, 2022.

Attest:

Secretary.

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